



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

Michael Nacmias, Esq. - Nacmias Law Firm 592 Pacific Street 1st Floor Brooklyn, NY 11217	Summons No: 0216208805 et al. (1 Summons) NEW YORK CITY POLICE DEPT, -against- CARL LATENDRESSE Hearing Date: 11/06/2025 Hearing Location: Remote Type of Hearing: By Telephone
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Total Penalty Amount: \$0.00
Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
0216208805	Dismissed	09/17/2025	256-20 Horace Harding Exp. Queens

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	AD6L	AC 19-190(B)	Dismissed	\$0.00

Findings of Fact & Conclusions of Law

This is a hearing by phone held November 6, 2025. Respondent, Carl Latendresse, appeared by Michael Nacmias, Esq. Petitioner, Police Department, did not appear.

This summons alleges a violation of NYC Administrative Code 19-190(b).

Respondent's attorney moved to dismiss the violation on service and on the merits. He stated the affidavit of service is blank and referenced Appeal 2000420. As to the merits, he stated the summons fails to allege that Respondent was in a motor vehicle, that Respondent failed to yield, that the pedestrian had the right of way, and that there was an injury.

Service is improper. The affidavit of service is blank and the check box on the face of the summons is not checked. Petitioner did not appear and therefore, did not supplement, or otherwise establish proper service.

Summons dismissed for improper service.

I note that if I were not dismissing on service grounds, I would still dismiss on the merits as the summons fails to establish a prima facie case.

<i>Sarah Axtell</i>	
11/07/2025	11/07/2025
Sarah Axtell, Judicial Hearing Officer	Date